

# **Exhibit E**

**Table Regarding Harmonization of Relevant State Laws with Federal Antitrust Law**

| <b>State</b>         | <b>Actions</b>  | <b>Citation</b>   |
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| Arizona              | Costco, P.C. Richard, Sears and Kmart, Indirect Purchaser Plaintiffs                                    | Ariz. Rev. Stat. Ann. § 44-1412   |
| California           | CompuCom, Costco, Electrograph, Office Depot, Sears and Kmart, Tech Data, Indirect Purchaser Plaintiffs | <i>Vinci v. Waste Mgmt., Inc.</i> , 43 Cal. Rptr. 2d 337, 338 & n.1 (Cal. Ct. App. 1995) (applying federal standing principles to California state law claims because “the California courts look to cases construing the federal antitrust laws for guidance in interpreting the Cartwright Act”)                                  |
| District of Columbia | Indirect Purchaser Plaintiffs   | D.C. Code § 28-4515   |
| Florida              | Costco, Interbond, Office Depot, Sears and Kmart, Tech Data, Indirect Purchaser Plaintiffs              | Fla. Stat. § 501.204  |
| Hawaii               | Indirect Purchaser Plaintiffs   | Haw. Rev. Stat. § 480-3   |
| Illinois             | Costco, P.C. Richard, Sears and Kmart   | <i>O'Regan v. Arbitration Forums, Inc.</i> , 121 F.3d 1060, 1066 (7th Cir. 1997) (“Federal antitrust standing rules apply under the Illinois Antitrust Act.”)   |
| Iowa                 | Indirect Purchaser Plaintiffs   | Iowa Code § 553.2   |
| Kansas               | Indirect Purchaser Plaintiffs   | <i>Orr v. Beamon</i> , 77 F. Supp. 2d 1208, 1211-12 (D. Kan. 1999) (citing <i>Bergstram v. Noah</i> , 974 P.2d 520, 531 (Kan. 1999)) (applying federal standing principles to antitrust claims under Kansas law and granting summary judgment for defendants)   |
| Maine                | Indirect Purchaser Plaintiffs   | <i>Davric Maine Corp. v. Rancourt</i> , 216 F.3d 143, 149 (1st Cir. 2000) (“‘Maine antitrust statutes parallel the Sherman Act,’ and thus have analyzed claims thereunder according to the doctrines developed in relation to federal law.” (quoting <i>Tri-State Rubbish, Inc. v. Waste Mgmt., Inc.</i> , 998 F.2d 1073, 1081 (1st |

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|             |  | Cir. 1993)))  |
| Michigan    | P.C. Richard, Sears and Kmart, Indirect Purchaser Plaintiffs                         | Mich. Comp. Laws § 445.784  |
| Minnesota   | Best Buy, Sears and Kmart, Indirect Purchaser Plaintiffs                             | <i>Lorix v. Crompton Corp.</i> , 736 N.W.2d 619, 626, 632 (Minn. 2007) (declining to apply certain federal standing principles even though “Minnesota law is generally interpreted consistently with federal antitrust law,” but adding that standing would not exist for plaintiffs who “did not purchase, directly or indirectly, any product or service provided by or manufactured with components from [the defendants]”)) |
| Mississippi | Sears and Kmart, Indirect Purchaser Plaintiffs                                       | <i>Futurevision Cable Sys. of Wiggins, Inc. v. Multivision Cable TV Corp.</i> , 789 F. Supp. 760, 778-80 (S.D. Miss. 1992) (dismissing Mississippi state law claims because the court concluded that plaintiff failed to allege facts sufficient to prove injury to competition with respect to its Sherman Act claims)   |
| Nebraska    | Sears and Kmart, Indirect Purchaser Plaintiffs                                       | Neb. Rev. Stat. § 59-829  |
| Nevada      | Sears and Kmart, Indirect Purchaser Plaintiffs                                       | Nev. Rev. Stat. § 598A.050  |
| New Mexico  | Sears and Kmart, Indirect Purchaser Plaintiffs                                       | N.M. Stat. Ann. §§ 57-1-15, 57-12-4   |
| New York    | CompuCom, Electrograph, P.C. Richard, Sears and Kmart, Indirect Purchaser Plaintiffs | <i>Sperry v. Crompton Corp.</i> , 863 N.E.2d 1012, 1018 (N.Y. 2007) (noting that New York courts “generally construe the Donnelly Act in light of federal antitrust law,” unless state policy or differences in statutory language or legislative history justify treating them differently)  |

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| North Carolina | Sears and Kmart, Indirect Purchaser Plaintiffs | <i>Microsoft Corp. v. Computer Support Servs. of Carolina, Inc.</i> , 123 F. Supp. 2d 945, 950-51, 954-55 (W.D.N.C. 2000) (dismissing federal claims because plaintiff did not have federal antitrust standing due to lack of antitrust injury, and also dismissing claims under North Carolina law because “the North Carolina Supreme Court has described the Sherman Act as ‘instructive in determining the full reach’ of the statutes”) (quoting <i>Rose v. Vulcan Materials Co.</i> , 194 S.E.2d 521, 530 (N.C. 1973)) |
| North Dakota   | Indirect Purchaser Plaintiffs                  | <i>Westgo Indus., Inc. v. W. J. King Co.</i> , No. A3-75-82, 1981 WL 2064, at *6 (D.N.D. Mar. 31, 1981) (“A reading of the statute discloses that it offers no broader protection than [that] offered by the federal antitrust statutes.”)   |
| South Dakota   | Indirect Purchaser Plaintiffs                  | S.D. Codified Laws § 37-1-22   |
| Tennessee      | Indirect Purchaser Plaintiffs                  | <i>Spahr v. Leegin Creative Leather Prods., Inc.</i> , No. 2:07-CV-187, 2008 WL 3914461, at *13-14 (E.D. Tenn. Aug. 20, 2008) (dismissing claim under the Tennessee Trade Practices Act (“TTPA”) due to finding “no good reason” why federal precedent should not be followed when “every Tennessee case decided under the TTPA has relied heavily on federal precedent”)  |
| Vermont        | Indirect Purchaser Plaintiffs                  | Vt. Stat. Ann. tit. 9, § 2453(b)   |
| West Virginia  | Indirect Purchaser Plaintiffs                  | W. Va. Code § 47-18-16   |
| Wisconsin      | Sears and Kmart                                | <i>Strang v. Visa U.S.A., Inc.</i> , No. 03 CV 011323, 2005 WL 1403769, at *3-5 (Wis. Cir. Feb. 8, 2005) (applying federal standing principles and dismissing antitrust claims under Wisconsin law)  |